

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 14913 of 2004

Between:

M.V.R. Sharma, S/o Shri M. Rajamouli Sharma,
R/o Plot No.1, Keshav Nagar Colony, Mettuguda, Secunderabad.

..... PETITIONER

AND

- 1 Principal Secretary, Revenue, A.P. Secretariat, Saifabad, Hyderabad.
- 2 Commissioner of Endowments, Government of Andhra Pradesh,
Endowments Department, Tilak Road, Hyderabad.
- 3 Executive Officer, Sri Lakshmi Narasimha Swamy Temple,
Nacharam gutta, Medak District.
- 4 Executive Officer, Sri Yedupayala Durga Bhavani Temple,
Nagasamipalli, Papannapet (Mandal), Medak District.
- 5 Executive Officer, Sri Kethaki Sangameshwara Swamy Temple,
Jharasangam Village & Mandal, Medak District.
- 6 B. Ranga Chary, S/o B. Krishnama Chary,
R/o Sri Laxminarasimha Swamy Devastanam, Nacharam Gutta,
Medak District.
- 7 Sri B. Narasimha Chary, S/o B. Krishnama Chary,
R/o Sri Laxminarasimha Swamy Devastanam, Nacharam Gutta,
Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or orders, more particularly one in the nature of Writ of Mandamus declaring the action of respondents 1 to 5 herein in not implementing the transfer order issued in proceeding R.C.No.V4/56299/2003-1, dated 22-1-2004 and thereby enabling the 6th and 7th Respondents, from not joining in their respective places to which they were transferred; as amounting to highly arbitrary illegal and unconstitutional, and consequently to direct the 1st respondent to forthwith relieve the 6th and 7th respondents from their present position ie., Junior Assistants working in Sri Laxminarasimha Swamy Devasthanam, Nacharam Gutta, Medak District,

Counsel for the Petitioner: MR.GOPALA KRISHNA KALANIDHI

Counsel for the Respondent Nos.1 to 5: GP FOR ENDOWMENTS

The Court at the stage of admission made the following:

HONOURABLE DR. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.14913 OF 2004

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ORAL ORDER:

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The petitioner is the Trustee of the third respondent Temple. The respondents 6 and 7, who are working as Junior Assistants, were transferred through the proceedings dated 07-08-2004 issued by the second respondent.

2. The grievance of the petitioner is that though the respondents 6 and 7 were transferred on some allegations and irregularities in their functioning, they were not so far relieved in pursuance of the transfer order, and they are continuing in the service of the third respondent temple causing prejudice to the interest of the temple. The petitioner therefore, approached this Court seeking a direction to the third respondent to relieve the respondents 6 and 7 in pursuance of the transfer orders dated 07-08-2004.

3. In the light of the circumstances explained by the petitioner, the third

respondent is directed to implement the order of transfer dated 07-08-2004 and relieve the respondents 6 and 7 forthwith from their respective posts, so long as the transfer order is in force.

4. The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.YETHIRAJULU, J

23rd August, 2004.

SKM

NOTE:

Furnish C.C. by 25-08-2004.

B/o.

Skm.

TO

1 The Principal Secretary, Revenue, A.P. Secretariat, Saifabad,

Hyderabad.

2 The Commissioner of Endowments, Government of Andhra Pradesh,
Endowments Department, Tilak Road, Hyderabad.

3 The Executive Officer, Sri Lakshmi Narasimha Swamy Temple,
Nacharam gutta, Medak District.

4 The Executive Officer, Sri Yedupayala Durga Bhavani Temple,
Nagasamipalli, Papannapet (Mandal), Medak District.

5 The Executive Officer, Sri Kethaki Sangameshwara Swamy Temple,
Jharasangam Village & Mandal, Medak District.

6 Two C.Cs. to G.P. for Endowments, High Court Buildings,

High Court of A.P., Hyderabad (OUT)

7 Two C.D. Copies.